

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 11973 of 2007(A)

PETITIONER:

ANNAMMA, W/O.THOMAS,
KANIYAM KUNNEL HOUSE, P.O.MEEN MUTTY,
KOLANCHERY VIA, CALICUT.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS:

1. THE MANAGER,
KOZHIKODE PRIMARY CO-OPERATIVE AGRICULTURAL &
RURAL DEVELOPMENT BANK LTD., BRANCH THAMARASSERY,
KOZHIKODE.
2. THE REGISTRAR,
CO-OPERATIVE SOCIETIES,
TRIVANDRUM.
3. THE JOINT REGISTRAR,
CO-OPERATIVE SOCIETIES,
TRIVANDRUM.

R1 BY ADV. SRI.THOMAS ANTONY.

R2 & R3 BY GOVT.PLEADER SRI.P.K. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WPC. 11973/2007.

APPENDIX

PETITIONER'S EXTS:

EXT.P1 : A COPY OF THE LOAN SANCTION ORDER ISSUED BY THE 1ST RESPONDENT DT. 25.5.2001.

EXT. P2 a : A COPY OF THE RECEIPT DATED 28.3.2005.

EXT. P2 b: A COPY OF THE RECEIPT DATED 31.3.2005.

EXT. P2 c : A COPY OF THE RECEIPT DATED 15.6.2005.

EXT. P2 d : A COPY OF THE RECEIPT DATED 25.8.2005.

EXT. P2 f : A COPY OF THE RECEIPT DATED 31.10.2005.

EXT. P2 g : A COPY OF THE RECEIPT DATED 14.11.2005.

EXT. P3 : A COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE PRESIDENT OF 1ST RESPONDENT DT. 17.12.2005.

EXT. P4 : A COPY OF THE ORDER DATED 14.3.2006 TO THE BANKING OMBUDSMAN.

EXT. P5 : A COPY OF THE LETTER DATED 17.5.2006 FROM THE 2ND RESPONDENT TO THE PETITIONER.

EXT. P6 : A COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE MINISTER DATED 21.11.2006.

EXT. P7 : A COPY OF THE LETTER DATED 12.12.2006 OF THE 2ND RESPONDENT.

K.M.JOSEPH, J.

WP.(C) No. 11973 of 2007

Dated this the 14th day of September, 2007

JUDGMENT

After hearing the parties for sometime, I would think that this is a matter where the petitioner has to invoke Section 69 of the Co-operative Societies Act.

In such circumstances, I relegate the petitioner to invoke Section 69 of the Co-operative Societies Act. In order to facilitate the same, recovery steps will be kept in abeyance for a period of three weeks from today. If the petitioner invokes Section 69 within three weeks from today, the matter will be disposed of after affording full opportunity to the parties, within a period of three months from the date on which it is instituted.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)